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MASSHEALTH  
CITIZENSHIP AND IMMIGRATION

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Persons applying for or receiving MassHealth must verify their citizenship and identity or immigration status. Citizens and nationals who receive Supplemental Security Income (SSI), Social Security Disability Insurance (SSDI) based upon disability, or Medicare (including those who are entitled to Medicare), and children in receipt of either Title IV-B services or Title IV-E adoption assistance or foster care payments do not need to submit verification. In addition, a child born to a woman who is eligible for MassHealth on the date of the child's birth is exempt from providing citizenship and identity verification as described in 130 CMR 518.004(E).

518.002: ~~Requirements for Citizens~~U.S. Citizens~~(A) Citizen.~~~~(1A) Definition of Citizen.~~ A citizen of the United States is:

~~(aA)~~ an individual who was born in the United States or its territories, including Puerto Rico, the Virgin Islands, Guam, and the Commonwealth of the Northern Mariana Islands (CNMI), except those born to a foreign diplomat, and who otherwise qualifies for U.S. citizenship under § 301 et seq. of the Immigration and Nationality Act (INA);

~~(bB)~~ an individual born of a parent who is a U.S. citizen or who otherwise qualifies for U.S. citizenship under § 301 et seq. of the Immigration and Nationality Act;

~~(cC)~~ a naturalized citizen; or

~~(dD)~~ a national (both citizen national and non-citizen national) as defined in 130 CMR 518.002~~(A)(1)(d)(i) or (ii)(D)(1) or (2)~~.

~~(ia1)~~ Citizen National. A citizen national is an individual who otherwise qualifies as a U.S. citizen under § 301 et seq. of the Immigration and Nationality Act.

~~(iib2)~~ Non-Citizen National. A non-citizen national is an individual who was born in one of the outlying possessions of the United States, including America Samoa and Swain's Island, to a parent who is a non-citizen national.

~~(2) Acceptable Proof of Citizenship and Identity (Level 1 Primary Verifications). Primary verifications satisfy both citizenship and identity requirements. Verification from 130 CMR 518.002(A)(2) must be submitted if available during the eligibility determination process. Applicants and MassHealth members who were not U.S. citizens at birth must submit verification from 130 CMR 518.002(A)(2). Children born outside the United States and adopted by U.S. citizens may establish citizenship using the process established by the Child Citizenship Act of 2000. The following documents may be accepted as proof of both citizenship and identity because each contains a photograph of the individual named in the document, and the citizenship and identity of the individual have been established by one of the following:~~

~~(a) U.S. passport;~~

~~(b) Certificate of Naturalization (DHS form N-550 or N-570);~~

~~(c) Certificate of U.S. Citizenship (DHS form N-560 or N-561); or~~

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~~(d) a document issued by a federally recognized Indian tribe, showing membership or enrollment in, or affiliation with, such tribe (such as a tribal enrollment card or certificate of degree of Indian blood);~~

~~(3) Acceptable Proof of Citizenship (Levels 2 through 4). The following documents are acceptable as proof of citizenship, but not identity. These verifications of citizenship are listed in descending order. Identity must also be verified with one of the verifications listed in 130 CMR 518.002(A)(4). Verification from 130 CMR 518.002(A)(3)(a) can be submitted only if verification from 130 CMR 518.002(A)(2) cannot be obtained during the eligibility determination period. Verification from 130 CMR 518.002(A)(3)(b) can be submitted only if verification from 130 CMR 518.002(A)(2) cannot be obtained during the eligibility determination period and verification from 130 CMR 518.002(A)(3)(a) does not exist or cannot be obtained. Verification from 130 CMR 518.002(A)(3)(c) can be submitted only if verification from 130 CMR 518.002(A)(2) cannot be obtained during the eligibility determination period and verification from 130 CMR 518.002(A)(3)(a) and (b) does not exist or cannot be obtained.~~

~~(a) Level 2. The following documents may be accepted as proof of citizenship, but not identity:~~

~~(i) U.S. public record of birth showing birth in one of the fifty states (including the District of Columbia, Puerto Rico (if born on or after January 13, 1941), Guam (if born on or after April 10, 1899), the U.S. Virgin Islands (if born on or after January 17, 1917), American Samoa, Swain's Island, or the Northern Mariana Islands (if born after November 4, 1986, NMI local time)). However, if the document shows the individual was born in Puerto Rico, Guam, the U.S. Virgin Islands, or the Northern Mariana Islands before these areas became part of the U.S., the individual may be a collectively naturalized citizen under 42 CFR §435.407(b)(1). The birth record must have been recorded before the individual's fifth birthday;~~

~~(ii) Report of Birth Abroad of a U.S. Citizen (Form FS-545, Form FS-240, or DS-1350);~~

~~(iii) U.S. Citizen I.D. card (INS Form I-197 or INS Form I-179);~~

~~(iv) American Indian Card I-872 issued by the Department of Homeland Security with the classification code KIC (issued by DHS to identify U.S. citizen members of the Texas Band of Kickapoos living near the U.S./Mexican border);~~

~~(v) final adoption decree showing the child's name and U.S. place of birth, (if adoption is not finalized, statement from a state approved adoption agency);~~

~~(vi) evidence of U.S. civil service employment prior to June 1976;~~

~~(vii) official military record showing a U.S. place of birth;~~

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~~(viii) Northern Mariana Identification Card I-873 (issued by the INS to a collectively naturalized citizen of the United States who was born in the Northern Mariana Islands before November 4, 1986, NMI local time);~~

~~(ix) Systematic Alien Verification for Entitlements (SAVE) database; or~~

~~(x) evidence of meeting the automatic criteria for U.S. citizenship outlined in the Child Citizenship Act of 2000;~~

~~(b) Level 3. The following documents may be accepted as proof of citizenship, but not identity:~~

~~(i) extract of a U.S. hospital record of birth issued on hospital letterhead that was created at least five years before the initial application date (except that for children under age 16, the document can be issued near the time of birth or five years before the application date) and indicates a U.S. place of birth. A souvenir birth certificate is not acceptable;~~

~~(ii) life, health, or other insurance record showing a U.S. place of birth that was created at least five years before the initial application date. For children under age 16, the document must have been created near the time of birth;~~

~~(iii) religious record that was recorded in the U.S. within three months of birth showing the birth occurred in the U.S. and showing either the date of birth or the individual's age at the time the record was made. The record must be an official record of the religious organization. Entries in a family Bible are not considered religious records; or~~

~~(iv) early school records showing a U.S. place of birth. The school record must show the name of the child, the date of admission into the school, the date of birth, a U.S. place of birth, and the name(s) and place(s) of birth of the applicant's parents.~~

~~(c) Level 4. The following documents may be accepted as proof of citizenship, but not identity:~~

~~(i) federal or state census record showing U.S. citizenship or a U.S. place of birth and the applicant's age;~~

~~(ii) admission papers indicating a U.S. place of birth from a nursing facility, skilled nursing facility, or other institution that were created at least five years before the initial date of application for MassHealth and which shows a U.S. place of birth;~~

~~(iii) medical (clinic, doctor, or hospital) records indicating a U.S. place of birth that was created at least five years before the initial date of application for MassHealth (except that for children under age 16, the document can be issued near the time of birth or five years before the application date);~~

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~~(iv) one of the following documents created at least five years before the initial date of application for MassHealth and that shows a U.S. place of birth: Seneca or Navajo Indian tribal census records, U.S. vital statistics official notification of birth registration, a delayed U.S. public record of birth that was recorded more than five years after the person's birth, a statement of a physician or midwife who was in attendance at the birth, or the Bureau of Indian Affairs Roll of Alaska Natives; or~~

~~(v) written affidavit when there is no other verification. An affidavit should be used only in rare circumstances. Two affidavits must be submitted, which can be combined on a joint affidavit. One of the two affidavits must be from an individual who is not related to the applicant or member. Each individual providing an affidavit must have personal knowledge of the event or events establishing the applicant's or member's claim of U.S. citizenship or national status (for example, the date and place of the applicant's or member's birth in the United States, if applicable). The individuals providing the affidavits must also provide proof of both their own U.S. citizenship or national status and identity for the affidavit to be accepted. If the individuals making the affidavit also know why the documentary evidence of the applicant's or member's claim of U.S. citizenship or national status cannot be provided, this should be included in the affidavit. The applicant or member or other knowledgeable individual (guardian or representative) must provide a separate affidavit explaining why the evidence cannot be provided.~~

~~(4) Acceptable Proof of Identity. Acceptable documentation includes the following, as well as any other verification allowed under federal law as determined by the MassHealth agency:~~

- ~~(a) state driver's license bearing the individual's picture or other identifying information;~~
- ~~(b) government issued identity card bearing the individual's picture or other identifying information;~~
- ~~(c) Certificate of Degree of Indian Blood or other U.S. tribal document bearing individual's picture or other identifying information;~~
- ~~(d) U.S. military card or draft record;~~
- ~~(e) school identity card with picture;~~
- ~~(f) military dependent identity card;~~
- ~~(g) U.S. Coast Guard Merchant Mariner card;~~
- ~~(h) cross match with a federal or state government, public assistance, law enforcement, or correction agency data system;~~

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~~(i) three or more corroborating documents, such as marriage licenses, divorce decrees, high school diplomas, employer identification cards, or property deeds or titles. These corroborating documents can be used only if the individual submitted different Level 2 or Level 3 documentation for citizenship. These corroborating documents are not acceptable if a Level 4 document has been submitted;~~

~~(j) for children under age 16, the following are also acceptable documentation of identity:~~

~~(i) school records, including report cards, or nursery school or day care records;~~

~~(ii) clinic, doctor, or hospital records; or~~

~~(iii) an affidavit, signed by a parent, guardian, or caretaker relative, attesting to the child's date and place of birth signed under penalty of perjury (cannot be used if affidavit was provided for citizenship); or~~

~~(k) for a disabled individual in a residential care facility, an attestation of identity by the facility director or administrator when the individual does not have or cannot get any document listed in 130 CMR 518.002(AD)(4)(a1) through (j10).~~

~~(5) Reasonable Opportunity Extension. Applicants or members who need additional time to obtain verification of citizenship and identity may receive a 30-day extension. Requests for a reasonable opportunity extension must be made before the expiration of the verification time period.~~

~~(6) Child Born to a MassHealth-Eligible Woman. Regardless of the mother's immigration status, a child born to a woman who is eligible for MassHealth on the date of the child's birth will be exempt from providing citizenship and identity verification.~~

### 518.003: Requirements for Lawfully Present Immigrants

(A) Qualified aliens, qualified aliens barred, and immigrants lawfully present are considered lawfully present immigrants.

~~(B1) Qualified Aliens. Immigrants~~ Aliens described in 130 CMR 518.0023(BA)(1), ~~(2a)~~, ~~(b)~~, and ~~(3c)~~ are considered qualified aliens if they either entered the United States on or after August 22, 1996, and five years have passed from the date they attained an immigration status described in 130 CMR 518.0023(BA)(1), ~~(a)-(b) or (c)-(2), or (3)~~; they attained such status before August 22, 1996; or they have been continuously present since before August 22, 1996. Immigrants described in Date of entry into the United States is not considered for qualified aliens under 130 CMR 518.0023(BA)(41)-(d) through (12n) even if they are also described in 130 CMR 518.002(B)(1), (2), or (3). The following persons are considered qualified aliens for the purposes of MassHealth-eligibility: are considered qualified aliens regardless of the date of entry into the United States.

~~(1a)~~ persons admitted for legal permanent residence (LPR) under the Immigration and Nationality Act (INA);

~~(2b)~~ persons granted parole for at least one year under section 212(d)(5) of the INA;

(3c) conditional entrants under section 203(a)(7) of the INA as in effect before April 1, battered spouse, child or child of battered parent or parent of battered child who meet the criteria of section 431(c) of the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996.

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(d) persons granted asylum under section 208 of the INA;

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~~(5e)~~ refugees admitted under section 207 of the INA;

~~(6f)~~ persons whose deportation has been withheld under section 243(h) or 241(b)(3) of the INA, as provided by section 5562 of the federal Balanced Budget Act of 1997;

(g)

(i) veterans of the United States Armed Forces with an honorable discharge not related to their alien status;

(ii) Filipino war veterans who fought under U.S. command during WWII;

(iii) Hmong and Highland Lao veterans who are admitted for legal permanent residence (LPR) and who fought under U.S. command during the Vietnam War;

~~(i) persons with alien status on active duty in the U.S. Armed Forces, other than active duty for training; or~~

(iv)

(v) the spouse, unremarried surviving spouse, or unmarried dependent children of the alien described in 130 CMR 518.003(A)(1)(g)(i) through (iv);

~~(7) (a) veterans of the United States Armed Forces with an honorable discharge not related to their alien status;~~

~~(b) Filipino war veterans who fought under U.S. command during WWII;~~

~~(c) Hmong and Highland Lao veterans who are admitted for legal permanent residence (LPR) and who fought under U.S. command during the Vietnam War; persons with alien status on active duty in the U.S. Armed Forces, other than active duty for training; or~~

~~(e) the spouse, unremarried surviving spouse, or unmarried dependent children of the alien described in 130 CMR 518.002(B)(7)(a) through (d) conditional entrants under section 203(a)(7) of the INA in effect before April 1, 1980;~~

~~aliens or their unmarried dependent children, as defined in federal law, who have been subjected to battery or extreme cruelty by their spouse, parent, sponsor, or a member of their household, and who no longer live in the same household as the batterer;~~

(i) persons who entered as Cuban/Haitian entrants under section 501(e) of the Refugee Education Assistance Act of 1980;

(j) ~~N~~ative Americans with at least 50 percent American Indian blood who were born in Canada pursuant to section 289 of the INA or other tribal members born in territories outside of the U.S. pursuant to 25 U.S.C. 450b(e);

(k) Amerasians as described in section 402(a)(2)(A)(i)(V) of the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996;

~~admitted pursuant to section 584 of Public Law 100-202;~~

(l) victims of severe forms of trafficking and spouse, child, sibling or parent of the victim in accordance with the Victims of Trafficking and Violence Protection Act of 2000 (Pub. L. 106-386) as amended;



(m) Iraqi Special Immigrants granted special immigrant status under Section 101(a)(27) of the Immigration and Nationality Act, pursuant to Section 1244 of Public Law 110-181 or Section 525 of Public Law 110-161, ~~for a period not to exceed eight months~~; or

(n) Afghan Special Immigrants granted special immigrant status under Section 101(a)(27) of the Immigration and Nationality Act, pursuant to Section 525 of Public Law 110-161, ~~for a period not to exceed six months~~.

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~~(C) Protected Aliens. Aliens who are not qualified aliens but who are aliens with special status or nonqualified aliens, as described at 130 CMR 518.002(D) and (E) are considered protected aliens and may receive MassHealth regardless of immigration status, if they meet one of the following conditions and are otherwise eligible. This status continues until a determination of ineligibility due to failure to meet categorical or financial eligibility requirements has been made.~~

~~(1) They were receiving medical assistance on June 30, 1997.~~

~~(2) They had a long term care application pending on July 1, 1997.~~

~~(3) They lived in a long term care facility on June 30, 1997, but had not yet applied for MassHealth.~~

~~(D2) Qualified Aliens Barred with Special Status. Certain aliens Noncitizens who are not qualified aliens as described at 130 CMR 518.003(A)(1)(a), (b), and (c) and who entered the United States on or after August 22, 1996 and five years has not passed from the date they received ~~an~~ such immigration status are identified as qualified aliens barred. If an individual who meets the definition of qualified alien barred also has one or more of the statuses described in 130 CMR 518.003(A)(1)(d) through 518.003(A)(1)(n), such individual is a qualified alien, and not a qualified alien barred.~~  
~~are afforded eligibility for MassHealth based on provisions of state law as described in 130 CMR 518.002(D). The following are aliens with special status:~~

~~(3) Immigrants Lawfully Present. Immigrants who are defined as immigrants lawfully present are as follows:~~

~~(a) In a valid nonimmigrant status as otherwise defined in 8 U.S.C. 1101(a)(15) or otherwise under immigration laws (as defined in 8 U.S.C. 1101(a)(17))~~

~~(b) Paroled into the United States in accordance with 8 U.S.C. 1182(d)(5) for less than one year, except for an individual paroled for prosecution, for deferred inspection or pending removal proceedings;~~

~~(c) Belong to one of the following classes:~~

~~(ai) granted temporary resident status in accordance 8 U.S.C. 1160 or 1255a; respectively;~~

~~(bii) granted Temporary pProtected sStatus (TPS) in accordance with 8 U.S.C. 1254a and individuals with pending applicants for TPS who have been granted employment authorization;~~

~~(eiii) granted employment authorization under 8 CFR 274a.12(c);~~

~~(div) Family Unity beneficiaries in accordance with section 301 of Public Law 101-649, as amended;~~

~~(ev) under Deferred Enforced Departure (DED) in accordance with a decision made by the President;~~

~~(vi) granted Deferred Action status ; except for applicants or individuals granted status under DHS Deferred Action for childhood Arrivals Process (DACA);~~

~~-~~

~~(vii) granted an administrative stay of removal under 8 CFR part 241;~~

~~(viii) beneficiary of approved visa petition who has a pending application for adjustment of status;~~

~~(d) have a pending application for asylum under 8 U.S.C. § 1158) or for withholding of removal under 8 U.S.C. § 1231 or under the Convention Against Torture who;~~

~~(i) have been granted employment authorization; or~~

(ii) are under the age of 14 and has had an application pending for at least 180 days;

(5e) have been granted withholding of removal under the Convention Against Torture; or  
(f) is a child who has a pending application for Special Immigrant Juvenile status as  
described in 8 U.S.C. § 1101(a)(27)(J).

(B) Protected Aliens. Noncitizens who are not qualified aliens as described in 130 CMR 518.003(A)(1) but who are qualified aliens barred as described at 130 CMR 518.003(A)(2), immigrants lawfully present as described in 130 CMR 518.003(A)(3), nonqualified persons residing under color of law (PRUCOLs) as described in 130 CMR 518.003(C), or undocumented noncitizens as described in 130 CMR 518.0043-(D) and who were receiving medical assistance or CommonHealth on June 30, 1997, are considered protected aliens and may continue to receive MassHealth regardless of immigration status, if they are otherwise eligible. This status continues until a determination of ineligibility due to failure to meet categorical or financial eligibility requirements has been made.

(1) They were receiving medical assistance on June 30, 1997.

(2) They had a long-term-care application pending on July 1, 1997.

(3) They lived in a long-term-care facility on June 30, 1997, but had not yet applied for MassHealth.

~~(4) persons permanently living in the United States under color of law (PRUCOLs) as described in 42 CFR 435.408(b)(3) through (7), (b)(10) through (14), and (b)(16), which includes the following:~~

(C) Nonqualified Persons Residing under Color of Law (Nonqualified PRUCOL). Certain noncitizens who are not described at 130 CMR 518.003(A) or (B) may be permanently living in the United States under color of law. They are described at 42 CFR 435.408(b)(3) through (7), (b)(10) through (14) and (b)(16). The following are considered nonqualified PRUCOLs:

~~(a1) aliens living in the United States in accordance with an indefinite stay of deportation;~~

~~(b2) aliens living in the United States in accordance with an indefinite voluntary departure;~~

~~(e3) aliens and their families who are covered by an approved immediate relative petition, who are entitled to voluntary departure, and whose departure the United States Department of Homeland Security (DHS) does not contemplate enforcing;~~

~~(d) aliens who have filed applications for adjustment of status that the DHS has accepted as "properly filed," and whose departure the DHS does not contemplate enforcing;~~

~~(e) aliens granted stays of deportation by court order, statute, or regulation, by individual determination of the DHS, or relevant DHS instructions, and whose departure the DHS does not contemplate enforcing;~~

~~(f4) aliens granted voluntary departure by the DHS or an Immigration Judge, and whose deportation the DHS does not contemplate enforcing;~~

~~(g) aliens granted deferred action status;~~

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~~(h5)~~ aliens living under orders of supervision;

~~(i6)~~ aliens who have entered and continuously lived in the United States since before January 1, 1972;

~~(j7)~~ aliens granted suspension of deportation, and whose departure the DHS does not contemplate enforcing;

~~(k) aliens granted temporary protected status (TPS);~~

~~(l8)~~ aliens who are asylum applicants; ~~and~~

(9) aliens granted Deferred Action for Childhood Arrivals status or have a pending application for this status; or

~~(m10) any other aliens living in the United States with the knowledge and consent of the DHS, and whose departure the DHS does not contemplate enforcing. (These include permanent nonimmigrants as established by Public Law 99-239, and persons granted Extended Voluntary Departure due to conditions in the alien's home country based on a determination by the Secretary of State.); or~~

~~(2) persons who are not otherwise defined as qualified aliens under 130 CMR 518.002(B), as follows:~~

~~(a) persons admitted for legal permanent residence (LPR) under the INA;~~

~~(b) persons granted parole for at least one year under section 212(d)(5) of the INA; and~~

~~(c) conditional entrants under section 203(a)(7) of the INA as in effect before April 1, 1980.~~

~~518.004: (D) Undocumented Noncitizens.~~ Noncitizens whose status is not described in 130 CMR 518.003-(A)-(B) or (C) are considered undocumented noncitizens.

~~(E) Nonqualified Aliens.~~ Aliens whose status is not described in 130 CMR 518.002(B), (C), or (D) are considered nonqualified aliens.

518.004: Verification of U.S. Citizenship and Identity and Immigration Status.

(A) U.S. Citizenship and Immigration Status. MassHealth requires verification of U.S. citizenship or immigration status for all MassHealth applicants, except undocumented noncitizens.

(1) The MassHealth agency will initiate electronic data matches as described in 130 CMR 516.003 to attempt to verify U.S. citizenship or immigration status. If electronic data sources are unable to verify U.S. citizenship or immigration status, additional documentation will be required from the individual.

(2) Acceptable proof of U.S. citizenship is described at 130 CMR 518.005-(A)(1) and (2). Individuals who fail to submit proof of U.S. citizenship within 90 days of the MassHealth agency's request will subsequently only be

(a) eligible for Children's Medical Security Plan (CMSP) if they meet the categorical requirements for CMSP described at 130 CMR 522.000; or

(b) eligible for MassHealth Standard for those who are pregnant if they meet the categorical requirements and financial standards described at 130 CMR 505.002(D).

- (3) Acceptable proof of immigration status is described at 130 CMR 518.005-(B)(F). Individuals who fail to submit proof of immigration status within 90 days of the MassHealth agency's request will subsequently be
- (a) eligible only for MassHealth Limited, if they meet the categorical requirements and financial standards of MassHealth Standard;
  - (b) eligible for Children's Medical Security Plan (CMSP) if they meet the categorical requirements for CMSP described at 130 CMR 522.000; or
  - (c) eligible for MassHealth Standard for those who are pregnant if they meet the categorical requirements and financial standards described at 130 CMR 505.002(D);
- (B) Identity. MassHealth requires verification of identity for U.S. citizens:
- (1) The MassHealth agency will initiate electronic data matches as described in 130 CMR 516.003 to attempt to verify identity. If electronic data sources are unable to verify identity, additional documentation will be required from the individual.
  - (2) Acceptable proof of identity is described at 130 CMR 518.005(A)(3).
  - (3) U.S. Citizens as described at 130 CMR 518.002 who fail to verify identity within 90 days of the MassHealth agency's request will subsequently only be
    - (a) eligible for Children's Medical Security Plan (CMSP) if they meet the categorical requirements for CMSP described at 130 CMR 522.000; or
    - (b) eligible for MassHealth Standard for those who are pregnant if they meet the categorical requirements and financial standards as described in 130 CMR 505.002(D).
- (C) Reasonable Opportunity to Verify Citizenship and Identity or Immigration Status.: The MassHealth agency provides applicants and members a reasonable opportunity period to provide satisfactory documentary evidence of citizenship and identity or immigration status if MassHealth's electronic data matches are unable to verify the applicant's citizenship or immigration status. The reasonable opportunity period begins on, and will extend 90 days from, the date on which an applicant or member receives a reasonable opportunity notice.
- (D) Reasonable Opportunity Extension. Applicants or members who have made a good faith effort to resolve inconsistencies or obtain verification of citizenship and identity or immigration status may receive a 90-day extension. Requests for a reasonable opportunity extension must be made before the expiration of the verification time period.
- (E) Child Born to a MassHealth-Eligible Woman. Regardless of the mother's immigration status, a child born to a woman who is eligible for MassHealth on the date of the child's birth will be deemed eligible for MassHealth from birth until the child's first birthday and is exempt from providing citizenship and identity verification for eligibility.

518.005: Documents for Verifying U.S. Citizenship and Identity and Immigration Status

- (A) Acceptable Proof of U.S. Citizenship and Identity. Pursuant to 518.004(B), U.S. Citizens must provide proof of both citizenship and identity.
- (1) The following documents are satisfactory proof of both citizenship and identity:
- (a) U.S. passport, including a U.S. Passport Card issued by the Department of State, without regard to any expiration date as long as such passport or Card was issued without limitation;
  - (b) Certificate of Naturalization;
  - (c) Certificate of U.S. Citizenship;
  - (d) a document issued by a federally recognized Indian tribe, as published in the Federal Register by the Bureau of Indian Affairs within the U.S. Department of the Interior, and identifies the federally recognized Indian tribe that issued the document, identifies the individual by name, and confirms the individual's membership, enrollment, or affiliation with the tribe. These documents include, but are not limited to, a tribal enrollment card, a

Certificate of Degree of Indian Blood, a tribal census document, and documents on tribal letterhead, issued under the signature of the appropriate tribal official; that meet the requirements of 130 CMR 518.005(A)(41)(d).

(2) If one of the documents listed in 130 CMR 518.005(A)(1) is not provided, the following documents are acceptable as satisfactory evidence to establish citizenship if also accompanied by an identity document listed in 130 CMR 518.005(AE)(3):

- (a) U.S. public birth certificate showing birth in one of the fifty states (including the District of Columbia, Puerto Rico (if born on or after January 13, 1941), Guam, the U.S. Virgin Islands (if born on or after January 17, 1917), American Samoa, Swain's Island, or the CNMI (if born after November 4, 1986, CNMI local time)). The birth record may be issued by the state, commonwealth, territory, or local jurisdiction. However, if the document shows the individual was born in Puerto Rico, the U.S. Virgin Islands, or the Commonwealth of the Northern Mariana Islands (CNMI) before these areas became part of the U.S., the individual may be a collectively naturalized citizen;
- (b) cross-match with the Massachusetts Registry of Vital Statistics that documents a record of birth;
- (c) Certification of Report of Birth, issued to U.S. citizens who were born outside the U.S.;
- (d) Report of Birth Abroad of a U.S. Citizen;
- (e) certification of birth;
- (f) U.S. Citizen I.D. card;
- (g) Northern Mariana Identification Card, issued to a collectively naturalized citizen who was born in the CNMI before November 4, 1986;
- (h) final adoption decree showing the child's name and U.S. place of birth, or, if the adoption is not final, a statement from state-approved adoption agency that shows the child's name and U.S. place of birth;
- (i) evidence of U.S. civil service employment prior to June 1, 1976;
- (j) U.S. military record showing a U.S. place of birth;
- (k) data match with the Systematic Alien Verification for Entitlements (SAVE) Program or any other process established by the Department of Homeland Security to verify that an individual is a citizen;
- (l) documentation that the child meets the requirements of section 101 of the Child Citizenship Act of 2000 (8 U.S.C. 1431);
- (m) medical records, including, but not limited to, hospital, clinic, or doctor records or admission papers from a nursing facility, skilled-care facility, or other institution that indicate place of birth;
- (n) life, health, or other insurance records that indicate a U.S. place of birth;
- (o) official religious records recorded in the U.S. showing that the birth occurred in the U.S.;
- (p) school records, including preschool, Head Start, and day care, showing the child's name and U.S. place of birth;
- (q) federal or state census records showing U.S. citizenship or a U.S. place of birth; and
- (r) if an individual does not have one of the documents listed at 130 CMR 518.005(A)(2)(a) through (q), he or she may submit an affidavit signed by another individual, under penalty of perjury, who can reasonably attest to the individual's citizenship, and that contains the individual's name, date of birth, and place of U.S. birth. The affidavit does not have to be notarized.

(3) Acceptable Proof of Identity. The following are considered acceptable proof of identity.

(a) The following are acceptable proof of identity, provided such documentation has a photograph or other identifying information including, but not limited to, name, age, sex, race, height, weight, eye color, or address:

(i) identity documents listed at 8 CFR 274a.2(b)(1)(v)(B)(1), except a driver's license issued by a Canadian government authority;

(i)

- (ii) driver's license issued by a state or territory;
- (ii)
- (iii) school identification card;
- (iii)
- (iv) U.S. military card or draft record;
- (iv)
- identification card issued by the federal, state, or local government;
- (v)
- military dependent's identification card; or
- (vi)
- (vii) U.S. Coast Guard Merchant Mariner card;

(b) for children under age 19, a clinic, doctor, hospital, or school record, including preschool or day care records;

(c) two documents containing consistent information that corroborates an applicant's identity. Such documents include, but are not limited to:

- (i) employer identification cards;
  - (ii) high school and college diplomas (including high school equivalency diplomas);
  - (iii) marriage certificates;
  - (iv) divorce decrees;
  - (v) property deeds or titles;
  - (vi) a pay stub from a current employer with the applicant's name and address pre-printed, dated within 60 day of the application;
  - (vii) census verification containing the applicant's name and address, dated not more than 12 months before the date of the application;
  - (viii) a pension or retirement statement from a prior employer or pension fund stating the applicant's name and address, dated within 12 months of the application;
  - (ix) tuition or student loan bill containing the applicant's name and address, dated not more than 12 months before the date of the application;
  - (x) utility bill, cell phone bill, credit card bill, doctor's bill or hospital bill containing applicant's name and address, dated not more than 60 days before the date of the application;
  - (xi) valid homeowner's, renter's, or automobile insurance policy with pre-printed address, dated not more than 12 months before the date of the application, or a bill for such insurance with pre-printed address, dated not more than 60 days before the date of the application;
  - (xii) lease dated not more than 12 months before the date of the application, or home mortgage identifying applicant and address; or
  - (xiii) employment verification by means of W-2 forms or other documents bearing the applicant's name and address submitted by the employer to a government agency as a consequence of employment.
- (d) a finding of identity from a federal or state agency, including, but not limited to, a public assistance, law enforcement, internal revenue, or tax bureau, or corrections agency, if the agency has verified and certified the identity of the individual;
- (e) a finding of identity from an Express Lane agency, as defined in section 1902(e)(13)(F) of the Social Security Act; or
- (f) if the applicant does not have any document specified in 130 CMR 518.005(A)(3)(a) through (c) and identity is not verified under 130 CMR 518.005(A)(3)(d) or (e), the applicant may submit an affidavit signed, under penalty of perjury, by another person who can reasonably attest to the applicant's identity. Such affidavit must contain the applicant's name and other identifying information establishing identity, as described in 130 CMR 518.005(A)(3)(a). This affidavit does not have to be notarized.

(4) Verification of Citizenship or Identity by a Federal Agency or Another State. The MassHealth agency may rely, without further documentation of citizenship or identity, on a verification of citizenship or identity made by a federal agency or another state, if such verification was done on or after July 1, 2006.

(5) Assistance with Obtaining Documentation. The MassHealth agency will provide assistance to individuals who need assistance in securing satisfactory documentary evidence of citizenship in a timely manner.

(B) Acceptable Proof of Immigration Status. Acceptable proof of immigration status includes any verification allowed under federal law as determined by the MassHealth agency.

(C) Documentary Evidence. A photocopy, facsimile, scanned, or other copy of a document will be accepted to the same extent as an original document, unless information on the submitted document is inconsistent with other information available to the MassHealth agency or the MassHealth agency otherwise has reason to question the validity of the document or the information on the document.

518.006: Applicable Coverage Types.

(A) Citizens, qualified aliens, and protected aliens may receive MassHealth under any coverage type for which they are eligible as described in 130 CMR 519.000:

(B) Qualified aliens barred and immigrants lawfully present may receive the following coverage:

(1) MassHealth Family Assistance if they are adults aged 65 and older and meet the categorical requirements and financial standards as described at 130 CMR 519.013 or are receiving EAEDC.

(2) MassHealth Limited if they are adults aged 65 and older and meet the categorical requirements and financial standards as described at 130 CMR 519.009.

~~(2B) Aliens with special status may not receive coverage under MassHealth Standard, Buy In, Senior Buy In, or CommonHealth. However, they may be eligible for MassHealth Essential if they meet the eligibility requirements in 130 CMR 519.013 and MassHealth Limited if they meet the eligibility requirements of Essential at 130 CMR 519.013.~~

(C) Nonqualified PRUCOLs may receive the following:

(1) MassHealth Family Assistance if they are adults aged 65 and older and meet the categorical requirements and financial standards as described at 130 CMR 519.013 or are receiving EAEDC

(2) MassHealth Limited if they are adults aged 65 and older and meet the categorical requirements and financial standards as described at 130 CMR 519.009.

(3D) Nonqualified aliens Undocumented noncitizens aged 65 and older may receive only MassHealth Limited if they meet the eligibility requirements at 130 CMR 519.009.

~~(4) Aliens with special status, as described in 130 CMR 518.002(D)(2), who are children under age 19 or pregnant may receive MassHealth under any coverage type for which they are eligible.~~



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(8 of 8)Rev. ~~09/01/09DR~~~~(G) Verification of Citizenship, Identity, and Immigration Status.~~~~(1) A determination of eligibility is made as of the date the application and all required information, except verification of immigration status, is received by the MassHealth agency.~~~~(2) The MassHealth agency submits the names of qualified aliens to the DHS for confirmation of immigration status.~~~~(3) The MassHealth agency requests verification of immigration status subsequent to the eligibility determination from the following:~~~~(a) qualified aliens who did not submit verification of their immigration status with the application, and for whom the DHS has been unable to confirm their status as described at 130 CMR 518.002(G)(2); and~~~~(b) aliens with special status who did not submit verification of their immigration status with the application.~~~~(4) Aliens who fail to submit verification of their immigration status, as described in 130 CMR 518.002(A), (B), and (G), within 30 days of the MassHealth agency's information request will subsequently be~~~~(a) eligible only for MassHealth Limited if they meet the categorical requirements and financial standards of MassHealth Standard; or~~~~(b) ineligible for any MassHealth coverage type if not otherwise eligible for MassHealth Standard.~~~~(5) The MassHealth agency requests verification of citizenship subsequent to the eligibility determination from U.S. citizens or nationals who did not submit acceptable verification of their citizenship status with the application as described in 130 CMR 518.002(A)(2) or (3).~~~~(6) The MassHealth agency requests verification of identity subsequent to the eligibility determination from U.S. citizens or nationals who did not submit acceptable verification of their identity with the MassHealth application as described in 130 CMR 518.002(A)(2) or (4).~~~~(7) Citizens who fail to submit verification of their citizenship and identity, as described in 130 CMR 518.002(A) and (G), within 30 days of the MassHealth agency's information request will subsequently be ineligible for any MassHealth coverage type.~~~~(8) Applicants or members who need additional time to obtain verification of citizenship and identity may receive a 30-day extension. Requests for a reasonable opportunity extension must be made before the expiration of the verification time period.~~